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ORDINANCE NO. _____
0-08-23

An Ordinance amending the City of Gainesville 2000-2010 Comprehensive Plan; by changing the land use category of certain property, as more specifically described in this ordinance, from the Alachua County land use category of “Heavy Industrial” to the City of Gainesville land use category of “Industrial” consisting of approximately 25.85 acres, located in the vicinity of 4600 Southwest 41st Boulevard, commonly known as “Bear Archery”; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, publication of notice of a public hearing that the Future Land Use Map be amended by changing the land use category of certain lands annexed within the City from the Alachua County land use category of “Heavy Industrial” to the City of Gainesville land use category of “Industrial”; and

WHEREAS, notice by the Plan Board was given and publication made as required by law and a public hearing was held by the City Plan Board on March 20, 2008; and

WHEREAS, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the Public Hearing to be held in the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven (7) days after the day the first advertisement was published; and

WHEREAS, pursuant to law, after the public hearing at the transmittal stage, the City of Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

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1 **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was
2 placed in the aforesaid newspaper notifying the public of the second Public Hearing to be held at
3 the adoption stage at least five (5) days after the day the second advertisement was published; and

4 **WHEREAS**, public hearings were held pursuant to the published and mailed notices
5 described above at which hearings the parties in interest and all others had an opportunity to be and
6 were, in fact, heard.

7 **WHEREAS**, prior to adoption of this ordinance the City Commission has considered the
8 comments, recommendations and objections, if any, of the State Land Planning Agency.

9 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
10 **CITY OF GAINESVILLE, FLORIDA:**

11 **Section 1.** The Future Land Use Map of the City of Gainesville 2000-2010 Comprehensive
12 Plan is amended by changing the land use category of the following described property from the
13 Alachua County land use category "Heavy Industrial" to the City of Gainesville land use category
14 of "Industrial";

15 See legal description attached hereto as Exhibit "A", and made a part
16 hereof as if set forth in full.
17

18 **Section 2.** The City Manager is authorized and directed to make the necessary changes in
19 maps and other data in the City of Gainesville 2000-2010 Comprehensive Plan, or element, or
20 portion thereof in order to comply with this ordinance.

21 **Section 3.** If any word, phrase, clause, paragraph, section or provision of this ordinance
22 or the application hereof to any person or circumstance is held invalid or unconstitutional, such

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1 finding shall not affect the other provisions or applications of the ordinance which can be given
2 effect without the invalid or unconstitutional provisions or application, and to this end the
3 provisions of this ordinance are declared severable.

4 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
5 such conflict hereby repealed.

6 **Section 5.** This ordinance shall become effective immediately upon passage on second
7 reading; however, the effective date of this plan amendment shall be the date a final order is issued
8 by the Department of Community Affairs finding the amendment to be in compliance in accordance
9 with Section 163.3184, F.S.; or the date a final order is issued by the Administration Commission
10 finding the amendment to be in compliance in accordance with Section 163.3184, F.S.

11 **PASSED AND ADOPTED** this ____ day of _____, 2009.

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Pegeen Hanrahan, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

21 _____
22 Kurt Lannon,
23 Clerk of the Commission

Marion J. Radson, City Attorney

24 This ordinance passed on first reading this ____ day of _____, 2008.

25 This ordinance passed on second reading this ____ day of _____, 2009.

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28 MJR/jls
29 H:\Marion Radson\Planning\23LUC-08PB PET.DOC

A TRACT OF LAND SITUATED IN THE GARY GRANT, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE EXISTING CITY OF GAINESVILLE LIMIT LINE LYING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 BEING ON THE NORTHEASTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2701, PAGE 299 ET SEQ.; THENCE RUN SOUTH $52^{\circ}22'10''$ WEST, ALONG SAID EXTENSION AND SOUTHEASTERLY LINE A DISTANCE OF APPROXIMATELY 1090 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE RUN NORTH $41^{\circ}40'15''$ WEST ALONG THE WESTERLY LINE OF SAID PARCEL A DISTANCE OF APPROXIMATELY 1,113.68 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2824, PAGE 1263 ET SEQ.; THENCE RUN ALONG THE SOUTHEASTERLY BOUNDARY OF SAID PARCEL THE FOLLOWING 3 COURSES: NORTH $51^{\circ}10'52''$ EAST, A DISTANCE OF APPROXIMATELY 641.51 FEET; NORTH $82^{\circ}08'57''$ EAST, A DISTANCE OF APPROXIMATELY 308.65 FEET; NORTH $53^{\circ}14'32''$ EAST, A DISTANCE OF APPROXIMATELY 188.13 FEET; THENCE LEAVING SAID SOUTHEASTERLY BOUNDARY CONTINUE NORTH $53^{\circ}14'32''$ EAST, A DISTANCE OF APPROXIMATELY 90 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF INTERSTATE 75 ALSO BEING ON THE EXISTING CITY OF GAINESVILLE LIMIT LINE; THENCE RUN SOUTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND CITY OF GAINESVILLE LIMIT LINE A DISTANCE OF APPROXIMATELY 968.78 FEET TO THE POINT OF BEGINNING.

